

THE DIRECTOR OF CENTRAL INTELLIGENCE
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WASHINGTON, D. C. 20503

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Office of Legislative Counsel

24 JUN 1978

OMB

Mr. James M. Frey
Assistant Director for
Legislative Reference
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Frey:

I am writing in response to your request for the views of this Agency on HEW's draft legislation, entitled the "Privacy of Medical Information Act."

In our view, the draft bill does not apply to the Central Intelligence Agency. The term "medical care facility" (section 1192, page 13), in establishing those organizations to which the bill would apply, excludes a "federal entity"; the CIA would be such a facility. Moreover, the types of health services which CIA provides its employees would not qualify under the draft legislation's definition of "medical care facility."

Although the draft bill does not define the classes of persons who fall within the term "patient," we presume the intent of HEW is to have the protective provisions of this bill available only to citizens of the United States and possibly permanent resident aliens. In order to be absolutely clear on this point, we urge that such definition be included in the body of the draft or that it be clearly explained in the legislative history. As this Agency's interests lie in the realm of foreign intelligence and by extension to certain foreign persons in the United States, we take no issue with the draft as written, assuming, as stated above, the bill does not provide coverage to foreign persons, who may, from time to time, seek medical care in the United States.

We appreciate the opportunity to comment on this proposed legislation, and will be happy to provide any additional information concerning our interests therewith. We would appreciate being kept advised of the progress of this proposal, particularly as regards the issues discussed in this letter.

Sincerely,

SIGNED

[Signature Box]
Acting Legislative Counsel

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